



Department of
Toxic Substances
Control

*Our mission is
to protect
California's people
and environment
from harmful effects
of toxic substances
by restoring
contaminated
properties,
identifying and
promoting safer
ingredients in
consumer products,
and ensuring
stewardship through
enforcement,
regulation and
pollution
prevention.*



State of California



California
Environmental
Protection Agency

Fact Sheet, October 2011

DRAFT STANDARDIZED HAZARDOUS WASTE FACILITY PERMIT XSTRATA RECYCLING, INC.

Public Comment Period: October 21, to December 5, 2011

The California Department of Toxic Substances Control (DTSC) invites public comments on the proposed the Draft Standardized Hazardous Waste Facility Permit, Series A, (Draft Permit) for Xstrata Recycling Inc. (Xstrata) located at 1695 Monterey Highway, in San Jose, California. If approved, this proposed permit will authorize Xstrata to continue operating its hazardous waste storage and treatment facility. In addition to the Draft Permit, DTSC also proposes to issue a Negative Declaration and Initial Study under the California Environmental Quality Act (CEQA). These documents are available for review at the information repositories listed on page 3.

Why a Permit is Necessary

DTSC regulates the generation, storage, treatment and disposal of hazardous waste in California. Permits are developed after DTSC's detailed technical review and are intended to ensure that the facility operates in a manner that protects human health and the environment.

Public Comment Period

The 45-day public comment period for the Draft Permit and begins on October 21, 2011 and ends on December 5, 2011. Copies of the Draft Permit, CEQA Initial Study, and supporting documents can be viewed at the information repositories listed on page 3 in this fact sheet. All comments must be submitted in writing. Comments sent by mail must be postmarked by

December 5, 2011, and sent to:

**Alejandro Galdamez, DTSC Project Manager, 700 Heinz Avenue,
Berkeley, California 94710-2721.**

**Tel. 510.540.3933. E- mail comments must be received by
December 5, 2011 to: AGaldame@dtsc.ca.gov**

DTSC has not scheduled a public hearing at this time, but will consider one if it is requested. Please send your comments or requests to Alejandro Galdamez, DTSC Project Manager at the address listed above. For information on Public Participation, please contact Jesus Cruz toll-free at 1-866-495-5651 or by e-mail to JCruz@dtsc.ca.gov.

Para ayuda en Español, llame a Jesús Cruz, sin cobro al 1 (866) 495-5651

For questions from the media, please contact, DTSC Public Information Officer, Jeanne Garcia at (818) 717-6573, or email JGarcia1@dtsc.ca.gov



Facility Description and History

Xstrata operates a metal recovery facility on approximately 2.2 acres of property in San Jose, California. The primary activity at the facility is sampling and preparation of electronic scrap materials for the recovery of precious metals. Most metal recovery activities are performed at an off-site smelter. However the facility does recover metals from stripping and precipitation processes including strip baths, plating baths, drag out solutions, and rinse solutions. Some metals such as lead solder dross are processed in on-site furnaces to recover commercially valuable base metals.

Eleven (Area 1 through Area 11) zones are designated for hazardous waste management activities. Area 12 is designated for scrap metal, ERM and universal waste management activities. Areas 1 through 3 and 9 through 12 are located within the refinery area. Areas 4, 5, 6 and 8 are located outside the refinery area.

The site was used for heavy manufacturing operations beginning in the 1930's. In the mid 1960's, several members of the Levin family operated a used equipment sales business at this site that was affiliated with the family's nearby ferrous scrap yard. A metal recycling operation was established at this location in the early 1970's. Eventually, the business was sold to Noranda Inc., a publicly traded company, in 1984. Through a series of mergers, acquisitions and reorganizations, the facility's name was eventually changed to Xstrata Recycling Inc. in August 2007. The underlying property is held by a private entity associated with the Levin family. Xstrata submitted a timely application for a new Standardized Permit and may continue operating under the terms of the expired permit until DTSC makes a final permit determination on Xstrata's application pursuant to California Code of Regulations, title 22, section 66270.51.

Description of Facility Operations

If granted, the permit will allow Xstrata to continue the operations of its hazardous waste treatment and storage facility including the following activities: Processing of different types of materials for metals recovery (electronic scrap, components, manufacturing byproducts,

wastes, concentrates, and residues); Physical processing to collect and preparation of representative samples of incoming solid materials; Preparations, packaging and transportation of solid materials off-site for recovery at a primary smelter; Processing of solutions including chemical stripping, refining, precipitation and neutralization, melting of materials in a gas-fired crucible furnace to partition recoverable metals and slag, baking materials into a dry friable ash using tray furnaces.

The following changes have occurred since the permit was issued: 1) the 2,500 gallon Acid Waste Storage tank is now closed and the area has been converted to a container storage area. 2) One rotary divider, one muller, two new screens (large and small), one jaw crusher, and two blenders have been added to the proposed permit. 3) The height of the Acid/Neutral Solution Processing Tank in Area 2 has been reduced from 42 inches to 28 inches.

Special Conditions

DTSC is authorized to impose special conditions in this Permit pursuant to Health and Safety Code section 25200(a) and the regulations in California Code of Regulations, title 22, division 4.5, governing tanks, containers, and other facility and operation standards.

California Environmental Quality Act Notice of Exemption (CEQA)

DTSC evaluated possible environmental impacts associated with the proposed Permit, as required by CEQA. DTSC has prepared an Initial Study and a Negative Declaration, which states that issuance of the proposed Hazardous Waste Facility Permit, would not have significant impacts on human health and the environment. The findings are available for review, along with other supporting documents in the information repositories located page 3 of this fact sheet.

Cyanide Stripping Room



Enforcement History

DTSC inspects Xstrata on a regular basis to ensure compliance with California laws, regulations, and the permit conditions. The results of those inspections during the past five years are listed below:

- January 24, 2005: DTSC conducted a focused inspection and found no violations.
- January 27, 2005: DTSC conducted a Compliance Evaluation Inspection and found no violations.
- February 15, 2005: DTSC conducted a Financial Responsibility Review and found no violations.
- May 5, 2007: DTSC conducted a Financial Responsibility Review and found a Class 1 violation. An enforcement order was issued on June 13, 2008. The violation was corrected by Xstrata in April and May of 2008.
- May 16, 2007 DTSC conducted a Focused Inspection and Compliance Evaluation Inspection and found no violations.

Inspection reports are available for review at DTSC's Berkeley Regional Office located at 700 Heinz Avenue, Berkeley, California 94710.

Information Repositories

The Draft Permit, Initial Study, and other site-related documents are available for public review at the information repositories:

- Willow Glen Branch Library
1157 Minnesota Avenue
San Jose, California 95125
(408) 808-3045
- DTSC Berkeley Office,
700 Heinz Avenue
Berkeley, California 94710
(510) 540-3800

The entire administrative record is available at the DTSC Berkeley office.

To view electronic versions of these documents, please visit DTSC's EnviroStor website:

<http://www.envirostor.dtsc.ca.gov/public/>. Enter "San Jose" as the City. Click on the link "Report" Xstrata Recycling Inc., for additional information.

For More Information please contact:

Mr. Alejandro Galdamez, DTSC Project Manager, regarding Technical questions (510) 540-3933 or by e-mail to Agaldame@dtsc.ca.gov

For questions regarding Public Participation, contact Jesus Cruz, toll-free at 866-495-5651 or (916) 255-3315 or by e-mail: JCruz@dtsc.ca.gov

Notice to Hearing Impaired Individuals

TDD users can use the California Relay Service at 1-888-877-5378, please ask to speak with Jesus Cruz (916) 225-3315